

May 18, 2010

TO: Members of the MAG Regional Council

FROM: Councilwoman Peggy Neely, Phoenix, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.
Wednesday, May 26, 2010
MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

The next MAG Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL
TENTATIVE AGENDA
May 26, 2010**

COMMITTEE ACTION REQUESTED

1. Call to Order

2. Pledge of Allegiance

3. Call to the Audience

An opportunity will be provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

4. Executive Director's Report

The MAG Executive Director will provide a report to the Regional Council on activities of general interest.

5. Approval of Consent Agenda

Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (*).

3. Information.

4. Information and discussion.

5. Approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

MINUTES

*5A. Approval of the April 28, 2010, Meeting Minutes

5A. Review and approval of the April 28, 2010, meeting minutes.

TRANSPORTATION ITEMS

*5B. American Recovery and Reinvestment Act (ARRA) Status Report

A Status Report on the American Recovery and Reinvestment Act (ARRA) funds dedicated to transportation projects in the MAG region details the status of project development. The report covers highway, local, transit, and enhancement projects programmed with ARRA funds and the status of project development milestones per project. Please refer to the enclosed material.

5B. Information and discussion.

*5C. Arterial Life Cycle Program Fiscal Year 2010 Regional Area Road Fund Closeout

The Regional Area Road Fund (RARF) Closeout Process was established in Section 260 of the Arterial Life Cycle Program (ALCP) Policies and Procedures approved by the MAG Regional Council. A financial analysis of ALCP revenues and expenditures as well as the ALCP bonding program was conducted. After reviewing the output of the analysis, MAG staff recommended that five eligible projects be reimbursed in the fiscal year 2010 ALCP RARF Closeout Process. The MAG Transportation Review Committee and the MAG Management Committee recommended approval. Please refer to the enclosed material.

5C. Approval of advancing \$23.995 million in Arterial Life Cycle Program (ALCP) project reimbursements to 2010 for the Fiscal Year (FY) 2010 ALCP RARF Closeout, and amend the FY 2010 Arterial Life Cycle Program, the 2008-2012 Transportation Improvement Program, and Regional Transportation Plan 2007 Update, as necessary.

*5D. Fiscal Year 2010 MAG Highway Safety Improvement Program Projects

A total of \$1 million in FY 2010 Highway Safety Improvement Program funds has been suballocated by the Arizona Department of Transportation (ADOT) to MAG for road safety improvements in the region. On March 1, 2010, ADOT informed MAG that the list of recommended safety projects was due by June 1, 2010, to enable timely obligation. Due to the short time available to obligate the funds, the MAG Transportation Safety Committee adopted a process that would result in three categories of road safety improvement projects that could be obligated in the available time frame. On March 24, 2010, MAG staff announced a call for projects with a submittal deadline of April 9, 2010. Seventeen applications were received by MAG. The Transportation Safety

5D. Approval of the listing of selected projects for FY 2010 highway safety improvement program funds.

Committee reviewed the applications and recommended a list of projects for funding. The Transportation Review Committee and the MAG Management Committee concurred with the recommendation of the Transportation Safety Committee. The FY 2008-2012 MAG Transportation Improvement Program amendment to include these projects is addressed in agenda item #5E. Please refer to the enclosed material.

*5E. Project Changes – Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program

The FY 2008-2012 Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) 2007 Update were approved by the MAG Regional Council on July 25, 2007. Since that time, there have been requests from member agencies to modify projects in the programs. The proposed project changes include amendments and administrative modifications to the FY 2008-2012 TIP for highway projects that include adding an ADOT pavement project on I-17, combining two Glendale pedestrian projects into a single project, changes to a Mesa project on Dobson Road, adding transportation enhancement funding projects in Phoenix and Wickenburg, and adding a series of safety projects in various MAG cities and towns contingent on approval of agenda item #5D. The project adjustments and new projects being added to the TIP are fiscally constrained and funding is available. The projects to be added or amended have been categorized as exempt from conformity determinations and the administrative modification includes minor revisions that do not require a conformity determination. The MAG Transportation Review Committee and the MAG Management Committee recommended approval of the amendments and administrative modifications. Please refer to the enclosed material.

*5F. Update and Review of Project Deferral Requests for Federal Fiscal Year 2010 MAG Closeout

By April 29, 2010, member agencies submitted requests to defer or delete federal funds from projects for approximately \$14.5 million. The Federal Fiscal Year (FFY) 2010 Closeout process is

5E. Approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2007 Update.

5F. Approval of a list of projects to be deferred from FFY 2010 to FFY 2011 or later, approval of a list of projects requesting to remove federal funds from the project, and make the necessary amendments and modifications to the 2008-2012 MAG Transportation Improvement Program, and as

following the Draft FY 2009 MAG Programming Principles. The attached memorandum explains the process and the requirements for requesting a project deferral. The attached table provides specific details about the project deferral requests, and there are 13 deferral justification letters for projects that were requesting to be deferred for a second time or more. The Transportation Review Committee and the MAG Management Committee recommended approval of this item. Please refer to the enclosed material.

necessary to the Regional Transportation Plan 2007 Update.

AIR QUALITY ITEMS

*5G. Status of Remaining MAG Approved PM-10 Certified Street Sweeper Projects That Have Not Requested Reimbursement

A status report is being provided on the remaining PM-10 certified street sweeper projects that have received approval, but have not requested reimbursement. To assist MAG in reducing the amount of obligated federal funds carried forward in the MAG Unified Planning Work Program and Annual Budget, MAG is requesting that street sweepers be purchased and reimbursement be requested by the agency within one year plus ten calendar days from the date of the MAG authorization letter. Please refer to the enclosed material.

5G. Information and discussion.

*5H. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program (TIP). The amendment and administrative modification involve several projects, including a new ADOT pavement project on Interstate-17, two Glendale pedestrian projects combined into a single project, and a series of safety projects in various MAG cities and towns. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. Please refer to the enclosed material.

5H. Consultation.

ITEMS PROPOSED TO BE HEARD

TRANSPORTATION ITEMS

6. American Recovery and Reinvestment Act Update and Guidance

In January 2010, the MAG Regional Council approved that guidelines for programming American Recovery and Reinvestment Act (ARRA) Local funds from project savings. The guidelines include a provision that a jurisdiction whose ARRA project savings are greater than \$200,000 and have a another eligible project that can meet the obligation deadline set by ADOT and FHWA can reallocate the project savings to the new project. Since that time, all ARRA projects in the MAG region obligated prior to the established deadline of March 2, 2010. Currently, ARRA-funded projects are going out for construction bid, and it is expected that all bids will be finalized by the end of May 2010. On May 12, 2010, the Management Committee discussed the \$200,000 threshold and the concerns of smaller member agencies for returning their bid savings when they might be able to utilize the funds on other eligible projects. The Management Committee recommended that the \$200,000 threshold be eliminated and if a jurisdiction has projects that can meet all of the requirements that it be allowed to move the projects forward. An update and additional guidance regarding the deobligation and utilization of ARRA funds are provided. Please refer to the enclosed material.

7. Acceptance of Commuter Rail Planning Studies and Amtrak Update

Since 2008, MAG has been engaged in developing three commuter rail studies. The Grand Avenue Commuter Rail Corridor Development Plan provides a detailed evaluation of the feasibility and necessary elements to successfully implement commuter rail service along the Burlington Northern/Santa Fe (BNSF) Phoenix Subdivision between Phoenix and Wickenburg. The Union Pacific (UP) Yuma West Commuter Rail Corridor Development Plan provides a detailed evaluation of the feasibility and necessary elements to successfully implement commuter rail service along the Yuma West rail line between Buckeye and Union Station

6. Approval that the approved guidelines for programming unobligated American Recovery and Reinvestment Act (ARRA) Local funds be modified to eliminate the \$200,000 threshold and if a jurisdiction has projects that can meet all of the requirements that it be allowed to move the projects forward.

7. 1) Accept the findings of the Grand Avenue Commuter Rail Corridor Development Plan, Yuma West Commuter Rail Corridor Development Plan, and Commuter Rail System Study; and 2) Revise the corridor ranking included in the Commuter Rail System Study upon the completion of updated regional socioeconomic forecasts or relevant passenger rail studies.

in downtown Phoenix, with a conceptual evaluation of the issues associated with extending the corridor to the Tempe Branch line in Tempe. The Commuter Rail System Study provides an evaluation of commuter rail options for the MAG region and the potential connecting routes immediately adjacent to the MAG region. The study establishes priorities for implementing commuter rail service through an evaluation of ridership potential, operating strategies, and associated capital and operating costs. The MAG Transit Committee, the MAG Transportation Review Committee and the MAG Management Committee recommended acceptance. On a related matter, at the April Regional Council meeting, information was requested regarding Amtrak intercity rail service in the United States as well as the discontinuance of Amtrak to Phoenix in June 1996. There has been a growing interest in re-establishing passenger rail in the MAG region and a brief historical summary will be included in the presentation. Please refer to the enclosed material.

GENERAL ITEMS

8. Sustainable Communities Planning Grant Program

On April 19, 2010, the MAG Executive Committee discussed the Sustainable Communities Planning Grant Program offered through the U.S. Department of Housing and Urban Development (HUD) in partnership with the U.S. Department of Transportation and the Environmental Protection Agency. In the advance notice published by HUD, large metropolitan areas are eligible to receive up to \$5 million to develop a regional plan for sustainable development. The Notice of Funding Availability (NOFA) is anticipated by mid-May with a deadline of early July. In total, up to \$100 million is available nationally. The purpose of the program is to integrate housing, economic development, and transportation planning in order to enhance the economy, environment, and social equity. It was determined it was advisable to receive input from the officers of the MAG Technical Committees regarding current work or interest in the area of sustainability. In addition, MAG is soliciting feedback from community partners that are involved in related initiatives. The possibility of

8. Information and discussion.

submitting an application on behalf of the Sun Corridor is being explored. Please refer to the enclosed material.

9. Approval of the Draft FY 2011 MAG Unified Planning Work Program and Annual Budget and the Member Dues and Assessments

Each year MAG develops a Unified Planning Work Program and Annual Budget. This year, draft budget presentations were held and incremental information on the budget was presented beginning in January 2010 through April 2010. The total dues and assessments for FY 2011 continue to be reduced by 50 percent. As adjustments to the budget were made, the draft budget document was updated and presented to the Management Committee, Regional Council Executive Committee, and Regional Council. The Work Program and Annual Budget was reviewed and discussed by state and federal agencies at the April 29, 2010, Intermodal Planning Group meeting. The MAG Management Committee and the MAG Regional Council Executive Committee recommended approval of the Draft FY 2011 MAG Unified Planning Work Program and Annual Budget and member dues and assessments. Please refer to the enclosed material.

10. Legislative Update

An update will be provided on legislative issues of interest.

11. Request for Future Agenda Items

Topics or issues of interest that the Regional Council would like to have considered for discussion at a future meeting will be requested.

12. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

13. Adjournment

9. Approval of the resolution adopting the Draft FY 2011 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments.

10. Information, discussion, and possible action.

11. Information and discussion.

12. Information.